

Request for Reconsideration after Final Action

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Input Field	Entered
SERIAL NUMBER	79135445
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION (no change)	
ARGUMENT(S)	
<p>In an Office Action dated June 19, 2014, the Examining Attorney has made final the refusal to register under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d), because of an allegedly confusingly similar mark. The Examining Attorney maintains that U.S. Registration No. 3,558,382 is allegedly likely to cause confusion with Applicant's mark (the Examining Attorney has withdrawn the refusal to register with respect to U.S. Registration Nos. 4,411,826 and 1,602,145). For the following reasons, Applicant respectfully disagrees with the Final Refusal, and Requests Reconsideration of the same, noting it is simultaneously filing a Notice of Appeal.</p> <p>I. <u>REFUSAL TO REGISTER UNDER SECTION 2(d)</u></p> <p> A. <u>The Nature of Goods Provided Are Different</u></p> <p> To reiterate, no likelihood of confusion exists between Applicant's mark PROMAX and the cited mark for PROMAX because of significant differences in the nature of the goods provided under these marks. <u>In re E. I. Du Pont de Nemours & Co.</u>, 177 USPQ 563, 567 (C.C.P.A. 1973).</p> <p> Applicant's goods, <u>by amendment</u>, are limited significantly to "power transmission for land vehicles; clutch mechanisms for land vehicles, namely, clutches for land vehicles; vehicles parts in nature of clutch disks" <u>only</u>. Again, Applicant has considerably narrowed its goods to make it clear that it is only seeking registration for the distinguishable and narrow subset of goods related to automobile</p>	

transmissions and clutches. In stark contrast, the remaining cited registration covers the limited items “automobile chassis parts, namely, control arms, bushings and sway bar links.” It is quite evident that Applicant’s amended goods “power transmission for land vehicles; clutch mechanisms for land vehicles, namely, clutches for land vehicles; vehicles parts in nature of clutch disks” are significantly distinguishable from the goods covered in the cited registration. Thus, by virtue of this amendment, there is no likelihood of confusion between the respective marks based on the significant differences in the nature of goods.

There is no *per se* rule that the involved goods are related merely because they are both automotive in nature. See In re A-Fab, LLC, Serial No. 77639815 (July 11, 2011). In fact, in In re A-Fab, the Board held that there was no likelihood of confusion between the marks DYNATECH for engine exhaust system components and DYNATEK for ignition systems for motor vehicles. The Board stated that the vehicle parts exhaust components and ignition components – much like automobile transmissions/clutches and automobile chassis parts – are specifically different goods, with different purposes and functions. The Board also focused on the fact that the respective consumers are sophisticated and exercise a great degree of care in making purchases of such goods.

Similarly, in In re Grand Prix Import Inc., Serial No. 77408025 (June 2, 2010), the Board reversed a likelihood of confusion refusal, holding that there was no evidence of record that the “very different goods” at issue “[were] sold under the same mark.” In this case, the marks at issue were SPYN (stylized) for “automobile parts and accessories” and SPYN (stylized), registered for “audio equipment namely speakers, equalizers, and amplifiers.”

It is plainly clear in the instant case that Applicant’s goods are quite distinguishable from the cited registrant’s goods. Applicant’s amended goods and the cited registrant’s goods do not overlap and are not similar. Thus, no confusion is likely between Applicant’s mark and the cited registration.

In fact, as previously mentioned, the term PROMAX is relatively weak and, therefore, is entitled to only a relatively narrow scope of protection. As referenced in Applicant’s response to the initial Office Action, there are 50 (or more) pending applications and coexisting registrations for marks incorporating PROMAX in the USPTO records for a wide variety of goods/services, including the PROMAX coexisting registrations cited by the Examining Attorney. This is evidence of the inherent weakness of the PROMAX mark. Importantly, since Applicant filed its Response to the initial Office Action, two new third-party applications have been filed that incorporate “PROMAX” or “PRO

MAX” for arguably related goods in the automotive field, further illustrating the narrow scope of protection afforded such marks. The new applications are as follows:

1. **CAM2 PROMAX**, U.S. Application Ser. No. 86/260,200, for “Hydraulic oils.” This use-based application was recently published for opposition.
2. **PRO MAX FUEL CELL**, U.S. Application Ser. No. 86/292,402, for “Automobile structural parts for racing purposes, namely, fuel storage cells; Automotive structural parts, namely, fuel storage cells and component parts therefor; Gas tanks for land vehicles.” This application remains pending.

Applicant also respectfully submits the following third-party registrations – both owned by the same entity – that further illustrate the narrow scope of protection afforded “PROMAX” marks:

3. **PRO MAX**, U.S. Registration No. 1824121, for “outboard motors.”
4. **PRO MAX**, U.S. Registration No. 4460030, for “Propellers used for marine vessels.”

(See USPTO database printouts attached as Exhibit A)

In summary, the respective goods are not related or marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source, and therefore, even if the marks were considered identical, confusion is not likely. *See, e.g., Local Trademarks, Inc. v. Handy Boys, Inc.*, 16 USPQ2d 1156 (TTAB 1990) (LITTLE PLUMBER for liquid drain opener held not confusingly similar to LITTLE PLUMBER and design for advertising services, namely the formulation and preparation of advertising copy and literature); *Quartz Radiation Corp. v. Comm/Scope Co.*, 1 USPQ2d 1668 (TTAB 1986) (QR for coaxial cable held not confusingly similar to QR for various products (*e.g.*, lamps, tubes) related to the photocopying field).

It is well settled that in determining whether a likelihood of confusion exists, each case must be decided on the basis of all relevant factors, including the goods/services and the marketing environment in which consumers normally encounter them. *In re Bigelow, Inc.*, 199 USPQ 38, 40 (TTAB 1978). The Trademark Trial and Appeal Board has not hesitated to find an absence of likelihood of confusion even in the face of identical marks applied to goods used in a

common industry, where goods differ and where there is no evidence that the respective goods would be encountered by the same consumers. In re Fesco, Inc., 219 USPQ 437 (TTAB 1983) (FESCO for farm equipment distributorships not likely to be confused with FESCO for fertilizer and processing equipment). Moreover, and importantly in this case, in In re Dayco Products-Eaglemotive, Inc., 9 USPQ2d 1910 (TTAB 1988), the Board held that there was no likelihood of confusion between the mark IMPERIAL for automotive products and IMPERIAL for automobile and structural parts, even though the marks at issue were identical, the goods were related, and the classes of consumers and channels of trade were overlapping. The Board concluded that because of the number of third-party IMPERIAL registrations in the same field, much like PROMAX in the instant case, the mark was weak and thus entitled to a narrow scope of protection.

Ultimately, in the “practicalities of the commercial world,” consumers will not be confused as to the source of goods which are so different in their nature. In re Massey & Ferguson Inc., 222 USPQ 367, 368 (TTAB 1983) (no likelihood of confusion between marks E&C and ECOM). Because of the distinct nature of the goods involved and the different trade channels in which the marks will be utilized, there is little chance that the respective goods will be encountered by the same consumer. Even if the goods happen to be encountered by the same consumers, there is little chance these consumers will believe the goods emanate from the same source because of the differences in the goods themselves.

B. The Goods are Sold Through Different Channels of Trade, to Sophisticated Purchasers, and are Expensive

It can be clearly seen that there are significant differences between the goods of Applicant and the goods of the cited reference, particularly in view of the sophistication of consumers in the relevant industries.

To reiterate, Applicant is using its mark in connection with very specialized, specific, and expensive “power transmission for land vehicles; clutch mechanisms for land vehicles, namely, clutches for land vehicles; vehicles parts in nature of clutch disks.” In making purchasing decisions regarding expensive goods or services, the reasonably prudent person standard is elevated to the standard of the “discriminating purchaser.” See McCarthy On Trademarks and Unfair Competition § 23.96 at 23-188. If the goods or services are expensive, the reasonably

prudent buyer does not buy casually, but only after careful consideration. McCarthy § 23.96 at 23-188 – 23-189. In the context of Applicant's highly sophisticated and specialized automobile transmissions and clutches, those of which involve discriminating purchasers that take great care in selecting products, it is inappropriate to place undue weight on the alleged similarity between the respective marks, especially in light of the significant differences in the respective goods.

In fact, similar to the instant matter, in In re Quality Trans Parts Inc., Serial No. 76515615 (November 22, 2005), the Board found no likelihood of confusion between the marks QUALITY for automobile transmissions and QUALITEE for various automotive parts. In this case, as in the instant PROMAX case, the Board focused on the fact that the goods would likely be marketed to automotive mechanics (both professional and non-professional) and professional repair shops. The Board went on to find that these purchasers are likely to be somewhat sophisticated and careful in their purchasing of these goods, especially in their purchases of applicant's transmissions, which were presumed to be fairly expensive items which would not be purchased on impulse. Id. In the instant case, Applicant's transmissions, much like those in the QUALITY case, are also fairly expensive items, requiring a consumer to exercise a greater degree of care in making its purchasing decision.

In this regard, the cited registrant's control arms and bushings are likely to be purchased for around \$50 per item. These items are therefore more likely to be purchased by everyday (non-professional) consumers, while Applicant's more expensive transmissions and clutches are likely to be purchased for \$1,000 or more by professional automotive mechanics and professional repair shops or dealers. These sophisticated consumers and quite knowledgeable, discerning, and take great care in making their purchasing decisions. Thus, these items are not purchased as an impulse buy and the consumers will pay more attention and careful consideration to the respective trademarks and source identifying material.

In another analogous case, in In re Motor City Sunroofs, Inc., Serial No. 75176395 (January 13, 2000), the Board held that there was no likelihood of confusion between the marks MCS and Design for wholesale distributorship of sunroofs and MCS for pneumatic tires. In this case, the Board focused on the fact that the potential customers that these goods and services have in common, namely dealers, retailers, and manufacturers, are relatively informed and sophisticated and as such, would be expected to exercise greater care in making purchasing

decisions. *See Electronic Design & Sales v. Electronic Data Systems*, 954 F.2d 713, 21 USPQ2d 1388, 1392 (Fed. Cir. 1992).

In fact, the Federal Circuit in *Electronic Design & Sales, Inc.*, held that “there is always less likelihood of confusion where the goods are expensive and purchased after careful consideration.” *Electronic Design & Sales, Inc.*, 21 USPQ2d at 1392 (quoting *Astra Pharmaceutical Prods. v. Beckman Instruments*, 718 F.2d 1201, 1206, 220 USPQ 786, 790 (1st Cir. 1983)). Such is the case at hand where Applicant’s products are specialized and expensive products that require select consumers to make a careful consideration before making a purchase. In view of the sophistication of the relevant consumers utilizing extreme care in making its purchasing decisions, this militates against a finding of likelihood of confusion between the respective marks. In fact, it is highly unlikely that the same consumer would even encounter the respective goods. Even if the goods happen to be encountered by the same consumers, there is little chance these consumers will believe the goods emanate from the same source.

Finally, in *Chase Brass & Copper Co. Incorporated v. Special Springs, Inc.*, 199 USPQ 243 (TTAB 1978), the Board found no likelihood of consumer confusion between the marks BLUE DOT for springs for aftermarket automotive distributors and BLUE DOT and design for brass rods sold to various manufacturers including those in the automotive industry because there was no evidence to show that the same persons will purchase or come into contact with the goods of the parties. The Board found that Special Springs could register BLUE DOT for springs used as part of vehicle ignition systems despite the existence of Opposer’s BLUE DOT mark used for brass rods to make automotive components. The Board noted that Applicant’s goods were used in the timing of electrical energy transmitted from the distributor to the spark plugs; the Opposer’s goods were used to manufacture parts incorporated into automobile components such as carburetors. The Board believed the actual purchasers would be different, although both may be from the same automotive company. The purchasers of the Applicant’s springs would be engineers and would be highly skilled and knowledgeable about what products they were selecting. Importantly, association between the goods, *even bearing an identical mark*, would not be expected. A similar scenario can be expected in the instant case as, even though the marks may be considered identical in terms of appearance, there are significant differences in the

respective goods, trade channels, consumers, and sophistication of purchasers.

C. Numerous Identical Third-Party Marks Coexist on the Register for Closely Related Goods

In response to the initial Office Action, Applicant submitted further evidence in support of its arguments that no likelihood of confusion should be found in this case. In this regard, Applicant submitted a number of coexisting third-party registrations (with accompanying USPTO database printouts that were attached as evidence) illustrating that the Trademark Office has historically registered identical trademarks where the goods, while arguably somewhat related, or in a related field, are ultimately not considered to overlap to a significant enough degree. To preserve this evidence on appeal, in addition to the USPTO database printouts already of record, Applicant respectfully submits copies of the third-party registration certificates from the records of the U.S. Patent and Trademark Office attached as Exhibit B.

Again, Applicant maintains that these third-party registrations demonstrate that the Trademark Office has historically taken the position that relatively weak trademarks are able to coexist with identical trademarks for related goods. While the Examining Attorney has indicated that prior decisions and actions of other trademark examining attorneys in registering other trademarks have little evidentiary value and are not binding upon the USPTO, the sheer volume of coexisting registrations submitted by Applicant in this case makes it clear that a pattern of examination practice has been adopted by the USPTO. In other words, it is not just one examining attorney decision, but it is historical USPTO practice that inherently weak trademarks are afforded less protection vis-à-vis strong trademarks and, therefore, marks such as PROMAX, while perhaps identical in appearance, should be able to coexist with other PROMAX marks in cases where the respective goods may even be considered to be arguably somewhat related. Therefore, based on this historical precedent – not just one examining attorney decision – the Examining Attorney should likewise treat the PROMAX marks at issue similarly and allow Applicant's distinguishable PROMAX mark to coexist with the cited registration.

Once again, the attached third-party registrations all coexist with one another on the Register for closely related goods. This should be considered of strong evidentiary value that similar or identical marks may coexist, even those for goods in the automotive field, because of

differences in the other DuPont factors, including the channels of trade, sophistication of consumers, and strength of the trademarks. Accordingly, there is no reason the Trademark Office should break with this historical precedent of permitting relatively weak identical trademarks to coexist with one another for arguably related goods. Consequently, there is no likelihood of confusion between the respective marks in the instant case.

II. CONCLUSION

Whereas Applicant has fully responded to the issues raised by the Examining Attorney, and believes that it has successfully traversed the likelihood of confusion refusal, Applicant respectfully requests that the Examining Attorney reconsider and withdraw the refusal to register and publish the subject mark for opposition. Applicant is simultaneously filing a Notice of Appeal in this matter.

EVIDENCE SECTION

EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_17316616054-20141219100517398126_.PROMAX_-_exhibits_A-B.pdf
CONVERTED PDF FILE(S) (48 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\354\79135445\xml17\RFR0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\354\79135445\xml17\RFR0003.JPG
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DESCRIPTION OF EVIDENCE FILE	Exhibits A and B
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Adam D. Resnick/
SIGNATORY'S NAME	Adam D. Resnick
SIGNATORY'S POSITION	Attorney of record, DC bar member
SIGNATORY'S PHONE NUMBER	202-600-2264
DATE SIGNED	12/19/2014
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Dec 19 10:15:41 EST 2014
TEAS STAMP	USPTO/RFR-173.166.160.54-20141219101541229746-79135445-500466d6d72c6d1707245c0a86533cc21233782fa9220e8818600cc8c19898f-N/A-N/A-20141219100517398126

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **79135445** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

In an Office Action dated June 19, 2014, the Examining Attorney has made final the refusal to register under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d), because of an allegedly confusingly similar mark. The Examining Attorney maintains that U.S. Registration No. 3,558,382 is allegedly likely to cause confusion with Applicant's mark (the Examining Attorney has withdrawn the refusal to register with respect to U.S. Registration Nos. 4,411,826 and 1,602,145). For the following reasons, Applicant respectfully disagrees with the Final Refusal, and Requests Reconsideration of the same, noting it is simultaneously filing a Notice of Appeal.

I. REFUSAL TO REGISTER UNDER SECTION 2(d)

A. The Nature of Goods Provided Are Different

To reiterate, no likelihood of confusion exists between Applicant's mark PROMAX and the cited mark for PROMAX because of significant differences in the nature of the goods provided under these marks. In re E. I. Du Pont de Nemours & Co., 177 USPQ 563, 567 (C.C.P.A. 1973).

Applicant's goods, by amendment, are limited significantly to "power transmission for land vehicles; clutch mechanisms for land vehicles, namely, clutches for land vehicles; vehicles parts in nature of clutch disks" only. Again, Applicant has considerably narrowed its goods to make it clear that it is only seeking registration for the distinguishable and narrow subset of goods related to automobile transmissions and clutches. In stark contrast, the remaining cited registration covers the limited items "automobile chassis parts, namely, control arms, bushings and sway bar links." It is quite evident that Applicant's amended goods "power transmission for land vehicles; clutch mechanisms for land vehicles, namely, clutches for land vehicles; vehicles parts in nature of clutch disks" are significantly distinguishable from the goods covered in the cited registration. Thus, by virtue of this amendment, there is no likelihood of confusion between the respective marks based on the significant differences in the nature of goods.

There is no *per se* rule that the involved goods are related merely because they are both automotive in nature. *See In re A-Fab, LLC*, Serial No. 77639815 (July 11, 2011). In fact, in In re A-Fab, the Board held that there was no likelihood of confusion between the marks DYNATECH for engine exhaust system components and DYNATEK for ignition systems for motor vehicles. The Board stated that the vehicle

parts exhaust components and ignition components – much like automobile transmissions/clutches and automobile chassis parts – are specifically different goods, with different purposes and functions. The Board also focused on the fact that the respective consumers are sophisticated and exercise a great degree of care in making purchases of such goods.

Similarly, in In re Grand Prix Import Inc., Serial No. 77408025 (June 2, 2010), the Board reversed a likelihood of confusion refusal, holding that there was no evidence of record that the “very different goods” at issue “[were] sold under the same mark.” In this case, the marks at issue were SPYN (stylized) for “automobile parts and accessories” and SPYN (stylized), registered for “audio equipment namely speakers, equalizers, and amplifiers.”

It is plainly clear in the instant case that Applicant’s goods are quite distinguishable from the cited registrant’s goods. Applicant’s amended goods and the cited registrant’s goods do not overlap and are not similar. Thus, no confusion is likely between Applicant’s mark and the cited registration.

In fact, as previously mentioned, the term PROMAX is relatively weak and, therefore, is entitled to only a relatively narrow scope of protection. As referenced in Applicant’s response to the initial Office Action, there are 50 (or more) pending applications and coexisting registrations for marks incorporating PROMAX in the USPTO records for a wide variety of goods/services, including the PROMAX coexisting registrations cited by the Examining Attorney. This is evidence of the inherent weakness of the PROMAX mark. Importantly, since Applicant filed its Response to the initial Office Action, two new third-party applications have been filed that incorporate “PROMAX” or “PRO MAX” for arguably related goods in the automotive field, further illustrating the narrow scope of protection afforded such marks. The new applications are as follows:

1. **CAM2 PROMAX**, U.S. Application Ser. No. 86/260,200, for “Hydraulic oils.” This use-based application was recently published for opposition.
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4. **PRO MAX**, U.S. Registration No. 4460030, for “Propellers used for marine vessels.”

(See USPTO database printouts attached as Exhibit A)

In summary, the respective goods are not related or marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source, and therefore, even if the marks were considered identical, confusion is not likely. *See, e.g., Local Trademarks, Inc. v. Handy Boys, Inc.*, 16 USPQ2d 1156 (TTAB 1990) (LITTLE PLUMBER for liquid drain opener held not confusingly similar to LITTLE PLUMBER and design for advertising services, namely the formulation and preparation of advertising copy and literature); *Quartz Radiation Corp. v. Comm/Scope Co.*, 1 USPQ2d 1668 (TTAB 1986) (QR for coaxial cable held not confusingly similar to QR for various products (*e.g.*, lamps, tubes) related to the photocopying field).

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Ultimately, in the “practicalities of the commercial world,” consumers will not be confused

as to the source of goods which are so different in their nature. In re Masseyâ€™Ferguson Inc²²² USPQ 367, 368 (TTAB 1983) (no likelihood of confusion between marks Eâ€™COM and ECOM). Because of the distinct nature of the goods involved and the different trade channels in which the marks will be utilized, there is little chance that the respective goods will be encountered by the same consumer. Even if the goods happen to be encountered by the same consumers, there is little chance these consumers will believe the goods emanate from the same source because of the differences in the goods themselves.

B. The Goods are Sold Through Different Channels of Trade, to Sophisticated Purchasers, and are Expensive

It can be clearly seen that there are significant differences between the goods of Applicant and the goods of the cited reference, particularly in view of the sophistication of consumers in the relevant industries.

To reiterate, Applicant is using its mark in connection with very specialized, specific, and expensive “power transmission for land vehicles; clutch mechanisms for land vehicles, namely, clutches for land vehicles; vehicles parts in nature of clutch disks.” In making purchasing decisions regarding expensive goods or services, the reasonably prudent person standard is elevated to the standard of the “discriminating purchaser.” See McCarthy On Trademarks and Unfair Competition § 23.96 at 23-188. If the goods or services are expensive, the reasonably prudent buyer does not buy casually, but only after careful consideration. McCarthy § 23.96 at 23-188 – 23-189. In the context of Applicant’s highly sophisticated and specialized automobile transmissions and clutches, those of which involve discriminating purchasers that take great care in selecting products, it is inappropriate to place undue weight on the alleged similarity between the respective marks, especially in light of the significant differences in the respective goods.

In fact, similar to the instant matter, in In re Quality Trans Parts Inc., Serial No. 76515615 (November 22, 2005), the Board found no likelihood of confusion between the marks QUALITY for automobile transmissions and QUALITEE for various automotive parts. In this case, as in the instant PROMAX case, the Board focused on the fact that the goods would likely be marketed to automotive mechanics (both professional and non-professional) and professional repair shops. The Board went on to find that these purchasers are likely to be somewhat sophisticated and careful in

their purchasing of these goods, especially in their purchases of applicant's transmissions, which were presumed to be fairly expensive items which would not be purchased on impulse. Id. In the instant case, Applicant's transmissions, much like those in the QUALITY case, are also fairly expensive items, requiring a consumer to exercise a greater degree of care in making its purchasing decision.

In this regard, the cited registrant's control arms and bushings are likely to be purchased for around \$50 per item. These items are therefore more likely to be purchased by everyday (non-professional) consumers, while Applicant's more expensive transmissions and clutches are likely to be purchased for \$1,000 or more by professional automotive mechanics and professional repair shops or dealers. These sophisticated consumers and quite knowledgeable, discerning, and take great care in making their purchasing decisions. Thus, these items are not purchased as an impulse buy and the consumers will pay more attention and careful consideration to the respective trademarks and source identifying material.

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In fact, the Federal Circuit in Electronic Design & Sales, Inc., held that "there is always less likelihood of confusion where the goods are expensive and purchased after careful consideration." Electronic Design & Sales, Inc., 21 USPQ2d at 1392 (quoting Astra Pharmaceutical Prods. v. Beckman Instruments, 718 F.2d 1201, 1206, 220 USPQ 786, 790 (1st Cir. 1983)). Such is the case at hand where Applicant's products are specialized and expensive products that require select consumers to make a careful consideration before making a purchase. In view of the sophistication of the relevant consumers utilizing extreme care in making its purchasing decisions, this militates against a finding of likelihood of confusion between the respective marks. In fact, it is highly unlikely that the same consumer would even encounter the respective goods. Even if the goods

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Finally, in Chase Brass & Copper Co. Incorporated v. Special Springs, Inc., 199 USPQ 243 (TTAB 1978), the Board found no likelihood of consumer confusion between the marks BLUE DOT for springs for aftermarket automotive distributors and BLUE DOT and design for brass rods sold to various manufacturers including those in the automotive industry because there was no evidence to show that the same persons will purchase or come into contact with the goods of the parties. The Board found that Special Springs could register BLUE DOT for springs used as part of vehicle ignition systems despite the existence of Opposer's BLUE DOT mark used for brass rods to make automotive components. The Board noted that Applicant's goods were used in the timing of electrical energy transmitted from the distributor to the spark plugs; the Opposer's goods were used to manufacture parts incorporated into automobile components such as carburetors. The Board believed the actual purchasers would be different, although both may be from the same automotive company. The purchasers of the Applicant's springs would be engineers and would be highly skilled and knowledgeable about what products they were selecting. Importantly, association between the goods, *even bearing an identical mark*, would not be expected. A similar scenario can be expected in the instant case as, even though the marks may be considered identical in terms of appearance, there are significant differences in the respective goods, trade channels, consumers, and sophistication of purchasers.

C. Numerous Identical Third-Party Marks Coexist on the Register for Closely Related Goods

In response to the initial Office Action, Applicant submitted further evidence in support of its arguments that no likelihood of confusion should be found in this case. In this regard, Applicant submitted a number of coexisting third-party registrations (with accompanying USPTO database printouts that were attached as evidence) illustrating that the Trademark Office has historically registered identical trademarks where the goods, while arguably somewhat related, or in a related field, are ultimately not considered to overlap to a significant enough degree. To preserve this evidence on appeal, in addition to the USPTO database printouts already of record, Applicant respectfully submits copies of the third-party registration certificates from the records of the U.S.

Patent and Trademark Office attached as Exhibit B.

Again, Applicant maintains that these third-party registrations demonstrate that the Trademark Office has historically taken the position that relatively weak trademarks are able to coexist with identical trademarks for related goods. While the Examining Attorney has indicated that prior decisions and actions of other trademark examining attorneys in registering other trademarks have little evidentiary value and are not binding upon the USPTO, the sheer volume of coexisting registrations submitted by Applicant in this case makes it clear that a pattern of examination practice has been adopted by the USPTO. In other words, it is not just one examining attorney decision, but it is historical USPTO practice that inherently weak trademarks are afforded less protection vis-à-vis strong trademarks and, therefore, marks such as PROMAX, while perhaps identical in appearance, should be able to coexist with other PROMAX marks in cases where the respective goods may even be considered to be arguably somewhat related. Therefore, based on this historical precedent – not just one examining attorney decision – the Examining Attorney should likewise treat the PROMAX marks at issue similarly and allow Applicant's distinguishable PROMAX mark to coexist with the cited registration.

Once again, the attached third-party registrations all coexist with one another on the Register for closely related goods. This should be considered of strong evidentiary value that similar or identical marks may coexist, *even those for goods in the automotive field*, because of differences in the other DuPont factors, including the channels of trade, sophistication of consumers, and strength of the trademarks. Accordingly, there is no reason the Trademark Office should break with this historical precedent of permitting relatively weak identical trademarks to coexist with one another for arguably related goods. Consequently, there is no likelihood of confusion between the respective marks in the instant case.

II. CONCLUSION

Whereas Applicant has fully responded to the issues raised by the Examining Attorney, and believes that it has successfully traversed the likelihood of confusion refusal, Applicant respectfully requests that the Examining Attorney reconsider and withdraw the refusal to register and publish the subject mark for opposition. Applicant is simultaneously filing a Notice of Appeal in this matter.

EVIDENCE

Evidence in the nature of Exhibits A and B has been attached.

Original PDF file:

[evi_17316616054-20141219100517398126 . PROMAX - exhibits A-B.pdf](#)

Converted PDF file(s) (48 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

[Evidence-16](#)

[Evidence-17](#)

[Evidence-18](#)

[Evidence-19](#)

[Evidence-20](#)

[Evidence-21](#)

[Evidence-22](#)

[Evidence-23](#)

[Evidence-24](#)

[Evidence-25](#)

[Evidence-26](#)

[Evidence-27](#)

[Evidence-28](#)

[Evidence-29](#)

[Evidence-30](#)

[Evidence-31](#)

[Evidence-32](#)

[Evidence-33](#)

[Evidence-34](#)

[Evidence-35](#)

[Evidence-36](#)

[Evidence-37](#)

[Evidence-38](#)

[Evidence-39](#)

[Evidence-40](#)

[Evidence-41](#)

[Evidence-42](#)

[Evidence-43](#)

[Evidence-44](#)

[Evidence-45](#)

[Evidence-46](#)

[Evidence-47](#)

[Evidence-48](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Adam D. Resnick/ Date: 12/19/2014

Signatory's Name: Adam D. Resnick

Signatory's Position: Attorney of record, DC bar member

Signatory's Phone Number: 202-600-2264

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79135445

Internet Transmission Date: Fri Dec 19 10:15:41 EST 2014

TEAS Stamp: USPTO/RFR-173.166.160.54-201412191015412

29746-79135445-500466d6d72c6d1707245c0a8

6533cc21233782fa9220e8818600cc8c19898f-N

/A-N/A-20141219100517398126

EXHIBIT A



United States Patent and Trademark Office

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CAM2 PROMAX

Word Mark	CAM2 PROMAX
Goods and Services	IC 004. US 001 006 015. G & S: Hydraulic oils. FIRST USE: 20140328. FIRST USE IN COMMERCE: 20140328
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86260200
Filing Date	April 23, 2014
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	October 28, 2014
Owner	(APPLICANT) CAM2 INTERNATIONAL, LLC LIMITED LIABILITY COMPANY LOUISIANA 63399 Highway 51 North Roseland LOUISIANA 70456
Attorney of Record	Ellen Reilly
Prior Registrations	4049875
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Mark: CAM2 PROMAX

CAM2 PROMAX

US Serial Number: 86260200

Application Filing Date: Apr. 23, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Oct. 28, 2014

Publication Date: Oct. 28, 2014

[Mark Information](#)

[Related Properties Information](#)

[Goods and Services](#)

[Basis Information \(Case Level\)](#)

[Current Owner\(s\) Information](#)

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PRO MAX FUEL CELL

Word Mark	PRO MAX FUEL CELL
Goods and Services	IC 012. US 019 021 023 031 035 044. G & S: Automobile structural parts for racing purposes, namely, fuel storage cells; Automotive structural parts, namely, fuel storage cells and component parts therefor; Gas tanks for land vehicles
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86292402
Filing Date	May 27, 2014
Current Basis	1B
Original Filing Basis	1B
Owner	(APPLICANT) Jaz Products, Inc. CORPORATION CALIFORNIA 1212 E. Santa Paula Street Santa Paula CALIFORNIA 93060
Attorney of Record	Jaye G. Heybl
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Mark: PRO MAX FUEL CELL

PRO MAX FUEL CELL

US Serial Number: 86292402

Application Filing Date: May 27, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examiner providing information and/or making an initial refusal. The applicant must respond to this Office action. To view the Trademark Document Retrieval link at the top of this page.

Status Date: Sep. 14, 2014

[Mark Information](#)

[Goods and Services](#)

[Basis Information \(Case Level\)](#)

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[Attorney/Correspondence Information](#)

[Prosecution History](#)

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Typed Drawing

Word Mark PRO MAX
Goods and Services IC 007. US 019 023. G & S: outboard motors. FIRST USE: 19921009. FIRST USE IN COMMERCE: 19930301
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74401692
Filing Date June 14, 1993
Current Basis 1A
Original Filing Basis 1A
Published for Opposition December 7, 1993
Registration Number 1824121
Registration Date March 1, 1994
Owner (REGISTRANT) Brunswick Corporation CORPORATION DELAWARE One North Field Court Lake Forest ILLINOIS 600454811
Attorney of Record WILLIAM D. LANYI
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040405.
Renewal 1ST RENEWAL 20040405
Live/Dead Indicator LIVE

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Int. Cl.: 7

Prior U.S. Cls.: 19 and 23

United States Patent and Trademark Office

Reg. No. 1,824,121
Registered Mar. 1, 1994

**TRADEMARK
PRINCIPAL REGISTER**

PRO MAX

BRUNSWICK CORPORATION (DELAWARE
CORPORATION)
ONE NORTH FIELD COURT
LAKE FOREST, IL 600454811

FIRST USE 10-9-1992; IN COMMERCE
3-1-1993.

SER. NO. 74-401,692, FILED 6-14-1993.

FOR: OUTBOARD MOTORS, IN CLASS 7
(U.S. CLS. 19 AND 23).

SARAH LEE, EXAMINING ATTORNEY



United States Patent and Trademark Office

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TSDR	ASSIGN Status	TTAB Status
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PRO MAX

Word Mark	PRO MAX
Goods and Services	IC 012. US 019 021 023 031 035 044. G & S: Propellers used for marine vessels. FIRST USE: 20130724. FIRST USE IN COMMERCE: 20130724
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85750141
Filing Date	October 10, 2012
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	July 9, 2013
Registration Number	4460030
Registration Date	December 31, 2013
Owner	(REGISTRANT) Brunswick Corporation CORPORATION DELAWARE One North Field Court Lake Forest ILLINOIS 60045
Attorney of Record	Adam D. Airhart
Prior Registrations	1824121;2481301;3292108
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
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United States of America
United States Patent and Trademark Office

PRO MAX

Reg. No. 4,460,030

Registered Dec. 31, 2013

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

BRUNSWICK CORPORATION (DELAWARE CORPORATION)
ONE NORTH FIELD COURT
LAKE FOREST, IL 60045

FOR: PROPELLERS USED FOR MARINE VESSELS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 7-24-2013; IN COMMERCE 7-24-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,824,121, 2,481,301, AND 3,292,108.

SN 85-750,141, FILED 10-10-2012.

NORA BUCHANAN WILL, EXAMINING ATTORNEY



Deborah S. Cohn

Commissioner for Trademarks of the
United States Patent and Trademark Office

EXHIBIT B

United States of America
United States Patent and Trademark Office

PODIUM

Reg. No. 4,439,150

Registered Nov. 26, 2013

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

TAMPA BAY RECREATION, LLC (FLORIDA LIMITED LIABILITY COMPANY)
1909 FOGGY RIDGE PARKWAY
LUTZ, FL 33559

FOR: BICYCLE SEATS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 1-25-2010; IN COMMERCE 1-25-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,865,508.

SER. NO. 85-866,194, FILED 3-4-2013.

KATHLEEN LORENZO, EXAMINING ATTORNEY



Deborah S. Cohn

Commissioner for Trademarks of the
United States Patent and Trademark Office

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 3,193,046

United States Patent and Trademark Office

Registered Jan. 2, 2007

**TRADEMARK
PRINCIPAL REGISTER**

PODIUM

FOX FACTORY, INC. (CALIFORNIA CORPORATION)
130 HANGAR WAY
WATSONVILLE, CA 95076

FOR: VEHICLE PARTS, NAMELY, SHOCK ABSORBERS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 5-31-2002; IN COMMERCE 5-31-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,949,629.

SER. NO. 78-811,336, FILED 2-9-2006.

KAREN BRACEY, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

United States Patent and Trademark Office

Reg. No. 3,250,126

Registered June 12, 2007

**TRADEMARK
PRINCIPAL REGISTER**

PODIUM

CONTINENTAL AKTIENGESELLSCHAFT (FED
REP GERMANY JOINT STOCK COMPANY)
VAHRENWALDER STR. 9
HANNOVER, FED REP GERMANY 30165

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: TIRES, SOLID TIRES, INNER TUBES FOR
AUTOMOBILE TIRES AND AUTOMOBILE PARTS,
NAMELY, WHEELS AND WHEEL RIMS, IN CLASS
12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

SER. NO. 76-610,968, FILED 9-8-2004.

FIRST USE 8-0-2004; IN COMMERCE 8-0-2004.

BILL DAWE, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cl.: 19

United States Patent and Trademark Office

Reg. No. 1,800,654

Registered Oct. 26, 1993

**TRADEMARK
PRINCIPAL REGISTER**

VIPER

CHRYSLER CORPORATION (DELAWARE
CORPORATION)
12000 CHRYSLER DRIVE
HIGHLAND PARK, MI 48288

FIRST USE 1-2-1989; IN COMMERCE
1-7-1989.

OWNER OF U.S. REG. NO. 1,590,771.

SER. NO. 74-159,920, FILED 4-23-1991.

FOR: AUTOMOBILES AND STRUCTURAL
PARTS THEREFOR, IN CLASS 12 (U.S. CL. 19).

CHRISIE B. KING, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35, and 44

Reg. No. 2,153,975

United States Patent and Trademark Office

Registered Apr. 28, 1998

**TRADEMARK
PRINCIPAL REGISTER**

VIPER

COOPER TIRE & RUBBER COMPANY (DELA-
WARE CORPORATION)
LIMA AND WESTERN AVENUES
FINDLAY, OH 45840

FIRST USE 3-24-1994; IN COMMERCE
3-24-1994.

SN 74-556,881, FILED 8-1-1994.

FOR: TIRES FOR AUTOMOBILES, IN CLASS
12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

MICHAEL MASON, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cl.: 19

United States Patent and Trademark Office

Reg. No. 1,274,259

Registered Apr. 17, 1984

TRADEMARK
Principal Register

VIPER

Western States Import Company, Incorporated
(California corporation)
1837 DeHavilland Dr.
Newbury Park, Calif. 91320

For: BICYCLES, in CLASS 12 (U.S. Cl. 19).
First use Jul. 1982; in commerce Jul. 1982.

Ser. No. 419,416, filed Mar. 30, 1983.

THOMAS S. LAMONE, Examining Attorney

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 2,875,966

United States Patent and Trademark Office

Registered Aug. 24, 2004

**TRADEMARK
PRINCIPAL REGISTER**

VIPER

SCRANTON MANUFACTURING COMPANY
INC. (IOWA CORPORATION)
101 STATE STREET
SCRANTON, IA 51462

FIRST USE 4-18-1997; IN COMMERCE 4-18-1997.

SER. NO. 76-217,581, FILED 2-28-2001.

FOR: REFUSE TRUCK PARTS, NAMELY, RE-
FUSE TRUCK BODIES, IN CLASS 12 (U.S. CLS. 19, 21,
23, 31, 35 AND 44).

JOHN LINCOSKI, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

BLACK WIDOW

Reg. No. 3,966,654

Registered May 24, 2011

Int. Cls.: 12 and 37

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

SOUTHERN COMFORT CONVERSIONS ACQUISITION, LLC (DELAWARE LIMITED LIABILITY COMPANY)
4680 PINSON VALLEY PARKWAY
BIRMINGHAM, AL 35215

FOR: CUSTOMIZED AUTOMOBILE PARTS, NAMELY, CUSTOMIZED SPORTS CAR BODIES AND STRUCTURAL PARTS THEREFOR, CUSTOMIZED CHASSIS, ENGINES AND HOODS, CUSTOMIZED SUSPENSION SYSTEMS, AND BUMPERS; AUTOMOTIVE INTERIOR TRIM; BADGES FOR VEHICLES; INSIGNIA FOR VEHICLES; PLASTIC PARTS FOR VEHICLES, NAMELY, AUTOMOTIVE EXTERIOR AND INTERIOR PLASTIC EXTRUDED DECORATIVE AND PROTECTIVE TRIM; AUTOMOBILE DOOR HANDLES; VEHICLE UPHOLSTERY, FITTED DASHBOARD COVERS FOR VEHICLES, AND AUTOMOTIVE SPECIALTY CHROME EFFECTS, NAMELY, WHEEL RIMS, VEHICLE TRIM, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 6-5-2008; IN COMMERCE 6-5-2008.

FOR: AUTOMOBILE AND TRUCK CONVERSION IN THE NATURE OF SPECIALTY AUTOMOTIVE EQUIPMENT INSTALLATION, CUSTOMIZATION AND ACCESSORY INSTALLATION SERVICES; AUTOMOBILE PAINTING, NAMELY, CUSTOM DESIGNED AUTOMOBILE PAINT SCHEMES, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 6-5-2008; IN COMMERCE 6-5-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-476,616, FILED 5-16-2008.

KARANENDRA S. CHHINA, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

BLACK WIDOW

Reg. No. 3,848,170

Registered Sep. 14, 2010

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

AMERICAN SPORTS DESIGN COMPANY (OHIO CORPORATION)
6551 CENTERVILLE BUSINESS PARKWAY
CENTERVILLE, OH 45459

FOR: BICYCLES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 1-29-2010; IN COMMERCE 1-29-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-278,567, FILED 9-13-2007.

BRENDAN REGAN, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office

United States of America
United States Patent and Trademark Office

DYNAMO

Reg. No. 4,130,452

Registered Apr. 24, 2012

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

SANDERSON, IAIN (UNITED KINGDOM INDIVIDUAL)
THE BOAT HOUSE
CRABTREE LANE
FULHAM, LONDON, UNITED KINGDOM SW66TY

FOR: VEHICLES, NAMELY, LAND VEHICLES; TOURING CARS, NAMELY, LIMOUSINES; SPORTS CARS; SPORTS CARS SOLD IN KIT FORM NOT CONTAINING TIRES; LAND VEHICLES, NAMELY, RACING CARS, PASSENGER CARRYING VEHICLES, PASSENGER CARS, PASSENGER MOTOR CARS, MOTOR CAR DERIVED VANS, MOTOR CARS, MOTOR CARS FOR RACING, MOTOR VEHICLES FOR USE IN THE TRANSPORTING OF CARGO, CAR TRANSPORTER TRUCKS, AUTOMOBILES FOR CARRYING GOODS, ELECTRIC CARS, NOT INCLUDING ANY PARTS AND FITTINGS FOR VEHICLES; APPARATUS FOR LOCOMOTION BY LAND, AIR OR WATER, NAMELY, CARS, TRUCKS, AIRPLANES, SHIPS AND TRAINS; FREIGHT CARRYING VEHICLES, NAMELY, SHIPS, TRUCKS AND TRAINS; PLATFORM CARS, NAMELY, WHEELED PLATFORMS HAVING NON-MOTORIZED WHEELS DESIGNED FOR TOWING; ELECTRICALLY POWERED CARTS, NAMELY TROLLEYS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF ERPN CMNTY TM OFC REG. NO. 008363061, DATED 7-10-2010, EXPIRES 6-15-2019.

SER. NO. 85-106,914, FILED 8-13-2010.

PAULA MAHONEY, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

United States Patent and Trademark Office

Reg. No. 2,969,171

Registered July 19, 2005

**TRADEMARK
PRINCIPAL REGISTER**

DYNAMO

DYNAMIC TIRE CORP. (CANADA CORPORATION)
100 MARMORA STREET
WESTON, ONTARIO, M9M 2X5, CANADA

FOR: TIRES FOR PASSENGER VEHICLES,
TRUCKS, OFF ROAD AND MILITARY VEHICLES,
INDUSTRIAL VEHICLES AND MATERIAL HAND-
LING EQUIPMENT, IN CLASS 12 (U.S. CLS. 19, 21, 23,
31, 35 AND 44).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
CANADA APPLICATION NO. 1158777, FILED 11-12-
2002, REG. NO. TMA602704, DATED 2-19-2004, EX-
PIRES 2-19-2019.

SER. NO. 76-493,823, FILED 2-24-2003.

MARY I. SPARROW, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

TITAN

Reg. No. 4,326,609

Registered Apr. 30, 2013

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

BIKE USA INC. (PENNSYLVANIA CORPORATION)
2811 BRODHEAD RD.
BETHLEHEM, PA 18020

FOR: BICYCLES; MOUNTAIN BICYCLES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 12-20-1994; IN COMMERCE 12-20-1994.

THE MARK CONSISTS OF THE WORDING "TITAN" IN BLOCK LETTERS WITH THE LETTER "A" BEING ANGLED TO THE RIGHT.

SER. NO. 85-402,288, FILED 8-19-2011.

SEAN CROWLEY, EXAMINING ATTORNEY



Sean Crowley
Acting Director of the United States Patent and Trademark Office

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35, and 44

United States Patent and Trademark Office

Reg. No. 2,933,421

Registered Mar. 15, 2005

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

TITAN INTERNATIONAL, INC. (ILLINOIS CORPORATION)

2701 SPRUCE STREET
QUINCY, IL 62301

FOR: LAND VEHICLE PARTS AND COMPONENTS, NAMELY, WHEELS, RIMS, TIRES, BRAKES AND ACTUATORS FOR ON-THE-ROAD VEHI-

CLES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 9-30-2002; IN COMMERCE 9-30-2002.

SN 75-097,303, FILED 5-1-1996.

ESTHER A. BORSUK, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

United States Patent and Trademark Office

Reg. No. 2,739,586

Registered July 22, 2003

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

MILLER INDUSTRIES TOWING EQUIPMENT,
INC. (DELAWARE CORPORATION)
8503 HILLTOP DRIVE
OOLTEWAH, TN 37363

MOBILES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35
AND 44).

FIRST USE 7-26-2001; IN COMMERCE 7-26-2001.

FOR: TRUCKS INTEGRATED WITH TRAILERS,
SOLD AS A UNIT FOR TRANSPORTING AUTOMO-
BILES; TRAILERS FOR TRANSPORTING AUTO-

SER. NO. 76-273,292, FILED 6-19-2001.

ASMAT KHAN, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35, and 44

Reg. No. 3,007,624

United States Patent and Trademark Office

Registered Oct. 18, 2005

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

NISSAN JIDOSHA KABUSHIKI KAISHA (JAPAN
CORPORATION), TA NISSAN MOTOR CO.,
LTD.,

NO. 2 TAKARACHO, KANAGAWA-KU
YOKOHAMA-SHI, KANAGAWA-KEN, JAPAN

CESSORIES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35
AND 44).

FIRST USE 11-30-2003; IN COMMERCE 11-30-2003.

FOR: MOTOR VEHICLES, NAMELY, ON-ROAD
PASSENGER TRUCKS AND STRUCTURAL PARTS
THEREFOR, EXCLUDING BATTERIES, POWER
SUPPLIES, AND RELATED EQUIPMENT AND AC-

SN 76-437,341, FILED 8-5-2002.

WILLIAM VERHOSEK, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35, and 44

United States Patent and Trademark Office

Reg. No. 2,917,994

Registered Jan. 11, 2005

**TRADEMARK
PRINCIPAL REGISTER**

MAGNUM

DAIMLERCHRYSLER CORPORATION (DELA-
WARE CORPORATION)
CIMS 483-02-19
1000 CHRYSLER DRIVE
AUBURN HILLS, MI 48326

FIRST USE 4-0-2004; IN COMMERCE 4-0-2004.

OWNER OF U.S. REG. NOS. 1,905,556 AND
2,419,240.

FOR: MOTOR VEHICLES, AND STRUCTURAL
PARTS THEREFOR, IN CLASS 12 (U.S. CLS. 19, 21, 23,
31, 35 AND 44).

SN 78-171,224, FILED 10-4-2002.

STEVEN BERK, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cl.: 35

Reg. No. 1,226,584

Registered Feb. 8, 1983

United States Patent and Trademark Office

TRADEMARK
Principal Register



Magnum Tire Corporation (Delaware corporation)
614 N. First St.
Minneapolis, Minn. 55401

For: TIRES AND TUBES FOR AUTOMOTIVE
VEHICLES, in CLASS 12 (U.S. Cl. 35).
First use Apr. 5, 1977; in commerce Apr. 5, 1977.

Ser. No. 299,337, filed Mar. 2, 1981.

ROBERT SHEPHERD, Examining Attorney

United States of America
United States Patent and Trademark Office

MAGNUM

Reg. No. 4,124,065

Registered Apr. 10, 2012

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

NORTHWOODS GAMES, LLC (WISCONSIN LIMITED LIABILITY COMPANY)
644 HILLCREST DRIVE
WAUPACA, WI 54981

FOR: PARTS, FITTINGS, AND ACCESSORIES FOR LAND VEHICLES, NAMELY, MUFLAPS
FOR VEHICLES, AND FRAMES FOR MOUNTING MUFLAPS TO VEHICLES, IN CLASS
12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 1-4-2011; IN COMMERCE 1-4-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-233,517, FILED 2-3-2011.

BRIAN CALLAGHAN, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 2,158,428

United States Patent and Trademark Office

Registered May 19, 1998

**TRADEMARK
PRINCIPAL REGISTER**

MAGNUM

DAMON CORPORATION (INDIANA CORPORATION)
52570 PAUL DRIVE
ELKHART, IN 465151107

TRUCK CAMPERS, IN CLASS 12 (U.S. CLS. 19,
21, 23, 31, 35 AND 44).

FIRST USE 8-0-1996; IN COMMERCE
8-0-1996.

FOR: RECREATIONAL VEHICLES,
NAMELY, FIFTH WHEEL TRAILERS AND

SER. NO. 75-221,161, FILED 1-3-1997.

ALBERT ZERVAS, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

MASTER

Reg. No. 4,307,431

Registered Mar. 26, 2013

Int. Cls.: 6 and 12

TRADEMARK

PRINCIPAL REGISTER

MASTER LOCK COMPANY LLC (DELAWARE LIMITED LIABILITY COMPANY)
P.O. BOX 927
137 W. FOREST HILL AVENUE
OAK CREEK, WI 53154

FOR: METAL U-BAR LOCKS; METAL CABLE WIRE AND METAL CABLE LOCKS; METAL CHAINS AND METAL CHAIN LOCKS; METAL LUGGAGE LOCKS; METAL DOOR LOCKS; METAL DOOR HARDWARE, NAMELY, KEYS AND KEY CYLINDERS, METAL DOOR LATCHES AND HASPS AND METAL CHAIN DOOR GUARDS; METAL WINDOW GUARDS; METAL DOOR BOLTS; METAL LOCKS THAT STORE KEYS; METAL KEY SAFES, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 7-0-1990; IN COMMERCE 7-0-1990.

FOR: TOWING COUPLERS AND LOCKS AND HATCH LOCKS THEREOF; SAFETY CHAINS IN THE NATURE OF TOWING SECURITY CHAINS FOR VEHICLES; TRAILER HITCHES; VEHICLE HITCH BALL COVERS; LUG NUTS; WHEEL SPACERS FOR TRAILERS; WHEEL BEARING PROTECTORS FOR VEHICLES; AUTOMOBILE PARTS, NAMELY, HITCH BALL REDUCER BUSHINGS AND RECEIVER COVERS; TOW HOOKS FOR VEHICLES; TOW STRAPS; BICYCLE RACKS FOR VEHICLES; TOW BARS FOR VEHICLES; CARGO CARRIERS FOR VEHICLES; FOLDAWAY CLEATS FOR VEHICLES; POCKET STACK ANCHORS FOR VEHICLES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 6-0-1999; IN COMMERCE 6-0-1999.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-339,051, FILED 6-6-2011.

DAVID TAYLOR, EXAMINING ATTORNEY



Lisa M. Stewart
Acting Director of the United States Patent and Trademark Office

Int. Cl.: 12

Prior U.S. Cls.: 19 and 31

United States Patent and Trademark Office

Reg. No. 1,219,040

Registered Dec. 7, 1982

TRADEMARK
Principal Register

MASTER
M

United Industrial Syndicate, Inc. (New York
corporation)
600 5th Ave.
New York, N.Y. 10020

For: AIR, FUEL, OIL AND TRANSMISSION
FILTERS FOR MOTOR VEHICLES, in CLASS 12
(U.S. Cls. 19 and 31).

First use Oct. 27, 1978; in commerce Oct. 27, 1980.

Owner of U.S. Reg. Nos. 630,359, 1,121,381 and
others.

Ser. No. 293,221, filed Jan. 16, 1981.

SIDNEY I. MOSKOWITZ, Examining Attorney

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 2,415,184

United States Patent and Trademark Office

Registered Dec. 26, 2000

**TRADEMARK
PRINCIPAL REGISTER**

a/l/p/i/n/e III

DT SWISS AG (SWITZERLAND CORPORATION)
SOLOTHURNSTRASSE 1
CH-2504 BIEL/BIENNE, SWITZERLAND

FIRST USE 3-7-1997; IN COMMERCE 3-7-1997.

SER. NO. 75-662,538, FILED 3-16-1999.

FOR: PARTS OF BICYCLES, NAMELY, SPOKES
AND NIPPLES, IN CLASS 12 (U.S. CLS. 19, 21, 23,
31, 35 AND 44).

ALICIA COLLINS, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

ALPINE

Reg. No. 4,445,525

Registered Dec. 10, 2013

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

RENAULT S.A.S. (FRANCE SOCIÉTÉ PAR ACTIONS SIMPLIFIÉE)
13/15 QUAI LE GALLO
BOULOGNE BILLANCOURT, FRANCE F92100

FOR: AUTOMOBILES, SPORT CARS, MOTOR CARS, ELECTRIC VEHICLES, AND CARS POWERED BY HYBRID, THERMAL AND ELECTRIC PROPULSION; SUSPENSION SHOCK ABSORBERS FOR VEHICLES, ANTI-THEFT DEVICES FOR VEHICLES, HEADRESTS FOR VEHICLE SEATS, SHOCK ABSORBERS FOR AUTOMOBILES, AUTOMOBILE HOODS, AUTOMOBILE BODIES, AUTOMOBILE CHAINS, AUTOMOBILE CHASSIS, BUMPERS FOR AUTOMOBILES, SUN SHIELDS AND VISORS FOR AUTOMOBILES, ANTI-THEFT ALARMS FOR VEHICLES, REVERSING ALARMS FOR VEHICLES, HORNS FOR VEHICLES, LUGGAGE CARRIERS FOR VEHICLES, TIRES FOR VEHICLE WHEELS, TORSION BARS FOR VEHICLES, CONNECTING RODS FOR LAND VEHICLES, OTHER THAN PARTS OF MOTORS AND ENGINES, GEARBOXES FOR LAND VEHICLES, CAPS FOR VEHICLE GASOLINE TANKS, WINDSHIELDS, HOODS FOR VEHICLES, HOODS FOR VEHICLE ENGINES, BODYWORKS FOR MOTOR VEHICLES, CRANKCASES FOR LAND VEHICLE COMPONENTS, OTHER THAN FOR MOTORS AND ENGINES, SAFETY BELTS FOR VEHICLE SEATS, ANTI-SKID CHAINS, DRIVE CHAINS FOR LAND VEHICLES, TRANSMISSION CHAINS FOR LAND VEHICLES, HYDRAULIC CIRCUITS FOR VEHICLES, TORQUE CONVERTERS FOR LAND VEHICLES, REDUCTION GEARS FOR LAND VEHICLES, DIRECTION SIGNALS FOR VEHICLES, ELECTRIC MOTORS FOR LAND VEHICLES, CLUTCHES FOR LAND VEHICLES, CHILDREN'S SAFETY SEATS FOR VEHICLES, GEARING FOR LAND VEHICLES, HUBCAPS, CASINGS FOR PNEUMATIC TIRES, BALANCE WEIGHTS FOR VEHICLE WHEELS, AXLES, AXLE JOURNALS, WINDSHIELD WIPERS, BRAKE LININGS FOR VEHICLES, BRAKE SHOES FOR VEHICLES, BRAKE SEGMENTS FOR VEHICLES, BRAKES FOR VEHICLES, BANDS FOR WHEEL HUBS, TAILBOARD LIFTS AS PARTS OF LAND VEHICLES, VEHICLE COVERS, SEAT COVERS FOR VEHICLES, RIMS FOR VEHICLE WHEELS, MOTORS AND ENGINES FOR LAND VEHICLES, DRIVING MOTORS FOR LAND VEHICLES, HUBS FOR VEHICLE WHEELS, MUDGUARDS, VEHICLE BUMPERS, AIR PUMPS AS VEHICLE ACCESSORIES, DOORS FOR VEHICLES, SKI CARRIERS FOR AUTOMOBILES, PROPULSION MECHANISMS FOR LAND VEHICLES, SHOCK ABSORBING SPRINGS FOR VEHICLES, VEHICLE SUSPENSION SPRINGS, REARVIEW MIRRORS, WHEELS FOR VEHICLES, FREEWHEELS FOR LAND VEHICLES, SECURITY HARNESSSES FOR VEHICLE SEATS, VEHICLE SEATS, TRANSMISSION SHAFTS FOR LAND VEHICLES, TRANSMISSIONS FOR LAND VEHICLES, TURBINES FOR LAND VEHICLES, ANTI-GLARE DEVICES FOR VEHICLES, UPHOLSTERY FOR VEHICLES, VEHICLE INTERIORS, PNEUMATIC TIRES FOR VEHICLES, WINDOWS



Deborah S. Cohn

Commissioner for Trademarks of the
United States Patent and Trademark Office

Reg. No. 4,445,525 FOR VEHICLES, STEERING WHEELS FOR VEHICLES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF INTERNATIONAL REGISTRATION 0306741 DATED 12-24-1965, EXPIRES 12-24-2015.

SER. NO. 79-112,666, FILED 2-21-2012.

JOSETTE BEVERLY, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

ALPINE

Reg. No. 3,881,305

Registered Nov. 23, 2010

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

THOR TECH, INC. (NEVADA CORPORATION)
419 WEST PIKE STREET
JACKSON CENTER, OH 453340629

FOR: RECREATIONAL VEHICLES, NAMELY, FIFTH WHEEL TRAILERS, IN CLASS 12
(U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 0-0-2009; IN COMMERCE 0-0-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,482,270, 2,877,394, AND 3,224,009.

SN 77-848,884, FILED 10-14-2009.

JESSICA A. POWERS, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

RUFF

Reg. No. 3,802,448

Registered June 15, 2010

Int. Cl.: 12

TRADEMARK

PRINCIPAL REGISTER

HUNG, RUEY YUAN (TAIWAN INDIVIDUAL)
NO. 7, LANE 166, HUASHUEI ROAD
XIUSHUEI, CHANGHUA, TAIWAN

FOR: AUTOMOBILE CHASSIS; BELTS FOR LAND VEHICLE TRANSMISSIONS; CLUTCH MECHANISMS FOR MOTOR CARS; CLUTCHES FOR LAND VEHICLES; LAND VEHICLE PARTS, NAMELY, DRIVE BELTS; LAND VEHICLE SUSPENSION PARTS, NAMELY, COIL SPRINGS; LAND VEHICLE SUSPENSION PARTS, NAMELY, EQUALIZERS; LAND VEHICLE SUSPENSION PARTS, NAMELY, LEAF SPRINGS; LAND VEHICLE SUSPENSION PARTS, NAMELY, TORSION/SWAY BARS; SUSPENSION SPRINGS FOR MOTOR CARS; SUSPENSION SYSTEMS FOR AUTOMOBILES; VEHICLE PARTS, NAMELY, SHOCK ABSORBERS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 9-1-2009; IN COMMERCE 9-1-2009.

THE MARK CONSISTS OF A STYLIZED WORDING "RUFF" IN COLOR RED.

THE COLOR(S) RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 77-838,852, FILED 10-1-2009.

WANDA KAY PRICE, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

United States Patent and Trademark Office

Reg. No. 3,031,619

Registered Dec. 20, 2005

**TRADEMARK
PRINCIPAL REGISTER**

RUFF RACING

GOOD ROADS AUTO SYSTEM INC (FLORIDA
CORPORATION)
3600 NW 54TH STREET
FORT LAUDERDALE, FL 33309

FOR: WHEELS FOR MOTOR VEHICLES; LIGHT
ALLOY WHEELS FOR MOTOR VEHICLES; LIGHT
METAL WHEELS FOR MOTOR VEHICLES AND
MOTOR VEHICLE WHEELS ACCESSORIES, NAME-
LY, CENTER CAPS, IN CLASS 12 (U.S. CLS. 19, 21, 23,
31, 35 AND 44).

FIRST USE 1-1-2004; IN COMMERCE 1-1-2004.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "RACING", APART FROM THE
MARK AS SHOWN.

SER. NO. 78-429,606, FILED 6-3-2004.

MATTHEW KLINE, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

United States Patent and Trademark Office

Reg. No. 3,485,056

Registered Aug. 12, 2008

**TRADEMARK
PRINCIPAL REGISTER**

LA SALLE

ARISTIDE & CO ANTIQUAIRE DE MARQUES
(FRANCE SARL)

57, RUE D'AMSTERDAM

F-75008 PARIS

FRANCE

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 12-15-2003 IS CLAIMED.

FOR: MOTOR VEHICLES, NAMELY AUTOMO-
BILES, BOATS, MOTORCYCLES; CAR BODIES; AU-
TOMOBILE CHASSIS; ENGINES AND OTHER
PARTS FOR MOTOR VEHICLES, NAMELY AXLES,
DRIVE GEARS, TRANSMISSIONS; MOTOR BUSES;
RECREATIONAL VEHICLES, NAMELY CAMPERS;
MOTOR COACHES; BICYCLES; LORRIES, NAME-
LY LIGHT LORRIES, TRANSPORTATION LOR-
RIES; VANS, NAMELY CARAVANS;
MOTORCYCLES; TRACTORS; MOPEDS, IN CLASS
12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

OWNER OF INTERNATIONAL REGISTRATION
0833635 DATED 6-7-2004, EXPIRES 6-7-2014.

THE ENGLISH TRANSLATION OF LA SALLE IS
"THE ROOM".

SER. NO. 79-005,477, FILED 6-7-2004.

MELVIN AXILBUND, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

La Salle
RAILWAY

Reg. No. 4,411,215

Registered Oct. 1, 2013

Int. Cls.: 12, 37 and 39

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

LA SALLE RAILWAY LLC (TEXAS LIMITED LIABILITY COMPANY)
10101 REUNION PLACE, STE 1000
SAN ANTONIO, TX 78216

FOR: RAILWAY CARRIAGES; RAILWAY CARS; RAILWAY COUPLINGS; RAILWAY FREIGHT CARS; RAILWAY HANDCARS; RAILWAY PASSENGER CARS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 4-16-2013; IN COMMERCE 4-16-2013.

FOR: REAL ESTATE DEVELOPMENT; REAL ESTATE DEVELOPMENT AND CONSTRUCTION OF COMMERCIAL, RESIDENTIAL AND HOTEL PROPERTY, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 4-16-2013; IN COMMERCE 4-16-2013.

FOR: RAILWAY TRANSPORT, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 4-16-2013; IN COMMERCE 4-16-2013.

THE MARK CONSISTS OF THE STYLIZED WORDS "LA SALLE" IN BLUE, WITH THE LETTERS "L" AND "L" IN THE WORD "SALLE" IN GRAY, DIRECTLY ABOVE THE STYLIZED WORD "RAILWAY" IN GRAY.

THE COLOR(S) BLUE AND GRAY IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 85-918,667, FILED 4-30-2013.

WENDY GOODMAN, EXAMINING ATTORNEY



Steven M. Hirsch
Deputy Director of the United States Patent and Trademark Office

Int. Cls.: 6, 7, 12, 17 and 42

Prior U.S. Cls.: 1, 2, 5, 12, 13, 14, 19, 21, 23, 25, 31, 34,
35, 44, 50, 100 and 101

Reg. No. 3,587,302

United States Patent and Trademark Office

Registered Mar. 10, 2009

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

Matador

MATADOR HOLDING, A.S. (SLOVAKIA JOINT
STOCK COMPANY)
STREENICKÁ CESTA 45
SK-020 01 PÚCHOV
SLOVAKIA

FOR: METAL CONSTRUCTIONS, NAMELY, BUILDING CURTAIN WALLS MADE PRIMARILY OF METAL, FRAMEWORK OF METAL FOR BUILDING, CONSTRUCTION ELEMENTS MADE OF METAL, NAMELY, SHORES, SUPPORTS, BRACES, ANCHOR PLATES AND INGOTS OF COMMON METAL; METAL AND METAL ALLOYS AND GOODS MADE OF THESE MATERIALS INCLUDED IN THIS CLASS, NAMELY, METAL DOOR PANELS, METAL DOOR FRAMES, METAL DOOR UNITS, PAINT SPRAY BOOTHS OF METAL, METAL BINS, BASKETS OF COMMON METALS, METAL BOXES, SAFETY DEPOSIT BOXES, TOOL BOXES OF METAL, CONTAINERS OF METAL FOR TRANSPORT, METAL CHESTS, STORAGE PALLETS OF METAL, LOADING AND UNLOADING PALLETS OF METAL, POSTS OF METAL, METAL BELLS, METAL BEAMS; PRESSED PARTS, NAMELY, METAL TILES, METAL FLOOR TILES, METAL ROOFING TILES, SHEET METAL, SHEET METAL LININGS, STEEL IN SHEET, ROD, BAR LANDLORD BILLET FORM, ZINC-COATED STEEL SHEETS; METAL KEY BLANKS; FOUNDRY MOLDS OF METAL; FOUNDRY CHILL-MOULDs OF METAL, METALLIC MOULDs FOR METAL CASTING; METAL MOULDs FOR FORMING AND PRESSING OF METALS FOR AUTOMOBILE PARTS; METAL MOULDs FOR PRESSING RUBBER AND PLASTIC PRODUCTS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FOR: BELT CONVEYORS; CONVEYING BELTS; MACHINES FOR METAL WORKING, NAMELY, GRINDERS, MILLING MACHINES, LATHES, POWER DRILLS; TOOLS AND PARTS OF METAL WORKING MACHINES, NAMELY, HYDRAULIC PRESSES, MECHANICAL PRESSES, METAL EXTRUSION PRESSES, OIL HYDRAULIC PRESSES,

PUNCHING PRESSES, STAMPING PRESSES, PLYWOOD PRESSES, PRESS DIES FOR METAL FORMING; CUTTERS AND CUFFING MACHINES, NAMELY, MILLING CUTTERS, GEAR CUTTERS, RECHARGEABLE HEDGE CUTTERS, TREE STUMP CUTTERS, TRENCH CUTTERS; MACHINES AND INSTALLATIONS FOR THE RUBBER INDUSTRY, NAMELY, INDUSTRIAL MACHINE PRESSES, MANIPULATORS FOR FORGING PRESSES AND FOR FORGING MACHINES, AGITATORS, TRIMMING MACHINES, AND ROLLING MILLS; MACHINES FOR PROCESSING RUBBER, NAMELY, MIXING MACHINES, GRINDING MACHINES CRUSHING MACHINES, SHREDDERS, VULCANIZATION MACHINES, TIRE BUILDING MACHINES, BEAD MAKING MACHINE USED IN PROCESS OF PRODUCTION OF TIRES, APEXING MACHINE IN PROCESS OF PRODUCTION OF TIRES; MACHINE TOOLS, NAMELY, BROACHES, CHASERS, GEAR CUTTERS, MILLING CUTTERS; RUBBER FORMING MACHINES AND INSTRUMENTS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FOR: PNEUMATIC TIRES FOR MOTOR CARS; LAND VEHICLES, THEIR PARTS AND SPARE PARTS, NAMELY, AUTOMOBILE CHASSIS, BODIES FOR VEHICLES, VEHICLES SEATS, MUDGUARDS OF MOTOR VEHICLES OR BICYCLES, DOORS FOR VEHICLES, BUMPERS FOR VEHICLES, UNDERCARRIAGES FOR VEHICLES, RIMS FOR VEHICLE WHEELS; PNEUMATIC TIRES OF ALL TYPES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FOR: RAW OR SEMI-WORKED RUBBER; RUBBER USED IN THE MANUFACTURE AND RECAPING OF TIRES; SHOCK ABSORBING BUFFERS OF RUBBER FOR INDUSTRIAL MACHINERY AND VEHICLES; SYNTHETIC RUBBER; SEMI-WORKED PLASTICS IN THE FORM OF SHEETS, TUBES, BARS, PLATES, PROFILES TUBES OR RODS; GOODS OF SYNTHETIC MATERIAL INCLUDED

IN THIS CLASS, NAMELY, SYNTHETIC PADDING AND STUFFING MATERIALS, NAMELY, PLASTIC WADDINGS; GOODS MADE OF SYNTHETIC RUBBER, FOAM RUBBER, ACRYLIC RUBBER, NATURAL RUBBER, RUBBER USED IN THE MANUFACTURE OF TIRES, LATEX RUBBER USED IN THE MANUFACTURE OF TIRES, RECLAIMED RUBBER, PLASTIC MATERIALS, NAMELY, ELECTRICAL INSULATING RUBBER PRODUCTS, GENERAL PURPOSE SILICONE RUBBER SEALANT, INDUSTRIAL PACKAGING CONTAINERS OF RUBBER, NON-METAL, PLASTIC AND RUBBER HOSES FOR INDUSTRIAL APPLICATIONS, RUBBER BAGS FOR MERCHANDISE PACKAGING, RUBBER BANDS FOR COMMERCIAL AND INDUSTRIAL USES, RUBBER BARS AND RODS, RUBBER SEALANT FOR CAULKING AND ADHESIVE PURPOSES, RUBBER SHEETS, RUBBER SHOCK ABSORBERS FOR INDUSTRIAL MACHINERY, RUBBER SLEEVES FOR PROTECTING PARTS OF MACHINERY, RUBBER THREAD NOT FOR TEXTILE USE, RUBBER TUBES SLEEVES FOR PROTECTING PARTS OF MACHINERY, RUBBER THREAD NOT FOR TEXTILE USE, RUBBER TUBES AND PIPES, RUBBER WHEEL CHOCKS, STUFFING OF RUBBER, UNFITTED PROTECTIVE RUBBER SHEETS FOR AUTOMOBILE SEATS, VALVES OF RUBBER OR VULCANIZED FIBER NOT INCLUDING MACHINE ELEMENTS, WASH-

ERS OF RUBBER OR VULCANIZED FIBER, IN CLASS 17 (U.S. CLS. 1, 5, 12, 13, 35 AND 50).

FOR: CHEMICAL RESEARCH; MECHANICAL RESEARCH; SCIENTIFIC RESEARCH; INDUSTRIAL RESEARCH IN THE FIELD OF AUTOMOBILE INDUSTRY; RESEARCH AND DEVELOPMENT OF NEW PRODUCTS FOR THIRD PARTIES; INDUSTRIAL DESIGN; PROFESSIONAL ADVICE AND CONSULTING IN THE FIELD OF AUTOMOBILE DESIGN AND DEVELOPMENT IN THE AUTOMOBILE INDUSTRY AND CONSULTING IN THE FIELD OF MECHANICAL ENGINEERING, IN CLASS 42 (U.S. CLS. 100 AND 101).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF INTERNATIONAL REGISTRATION 0951208 DATED 3-1-2007, EXPIRES 3-1-2017.

OWNER OF U.S. REG. NOS. 1,834,550, 3,159,100 AND OTHERS.

SER. NO. 79-049,092, FILED 3-1-2007.

JOHN E. MICHOS, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

Reg. No. 2,123,687

United States Patent and Trademark Office

Registered Dec. 23, 1997

**TRADEMARK
PRINCIPAL REGISTER**

MATADOR

MOTHER'S WINDOW TINT, INC. (TEXAS CORPORATION)
109 W. GRAYSON STREET
SAN ANTONIO, TX 78212

FIRST USE 2-17-1996; IN COMMERCE
2-17-1996.

SER. NO. 75-214,787, FILED 12-17-1996.

FOR: ANTITHEFT ALARMS FOR VEHICLES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

TOM WELLINGTON, EXAMINING ATTORNEY

Int. Cls.: 7, 8, 9, and 12

Prior U.S. Cls.: 13, 19, 21, 23, 26, 28, 31, 34, 35, 36, 38,
and 44

Reg. No. 3,545,154

United States Patent and Trademark Office

Registered Dec. 9, 2008

TRADEMARK
PRINCIPAL REGISTER



AUTOSALES, INCORPORATED (OHIO CORPORATION)
1200 SOUTHEAST AVENUE
TALLMADGE, OH 44278

FOR: LIFT AND LOWERING KITS; HOISTS; LIFTS; AUTOMOBILE OIL PANS; ABRASIVE CARTRIDGE ROLLS FOR METAL REMOVAL IN CURVED SURFACES; OIL PUMP PRIMERS FOR INCREASING OIL PRESSURE IN AN INTERNAL COMBUSTION ENGINE; CAM DEGREE WHEEL FOR SYNCHRONIZING THE CAMSHAFT'S POSITION WITH THE CRANKSHAFT IN AN INTERNAL COMBUSTION ENGINE; CAM DEGREE WHEEL POSITIONING PINS FOR SECURING THE CAMSHAFT AND CAMSHAFT TIMING SPROCKET PLATE IN PLACE TO SET ENGINE TIMING, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 7-28-2008; IN COMMERCE 7-28-2008.

FOR: AUTOMOTIVE HAND TOOLS, NAMELY, HAND JACKS, JACK STANDS, ENGINE CRADLES, PARTS HANDLING HAND TOOLS, NAMELY, ROLL-ABOUT ENGINE CRADLES FOR MOVING OR TRANSPORTING ENGINES, ENGINE STANDS USED TO HOLD AN AUTOMOTIVE ENGINE BY THE END, ENGINE HOIST, AN ENGINE STAND WITH A HYDRAULIC HOIST, ENGINE LIFTING SLING USED TO HOLD AN ENGINE ON A CRANE, ENGINE LOAD LEVELER USED TO LEVEL THE LOAD AND THE CRANE TO DROP THE ENGINE INTO PLACE, ENGINE LIFT PLATE USED TO LIFT THE ENGINE OUT OF THE VEHICLE, VALVE SPRING COMPRESSOR USED TO COMPRESS ENGINE VALVE SPRINGS FOR INSTALLATION, HARMONIC BALANCER PULLER AND INSTALLER USED TO PULL OR INSTALL A VEHICLE'S HARMONIC BALANCER, CAM SHAFT BEARING INSTALLATION TOOL USED TO INSTALL CAM SHAFT BEARINGS, CAMSHAFT INSTALLATION

HANDLE, FLY WHEEL TURNER, COIL-OVER SHOCK ADJUSTING TOOL USED TO ADJUST COIL-OVER SHOCKS, ROCKER ARM AND LIFTER ORGANIZER TRAY USED TO HOLD VEHICLE ENGINE ROCKERS AND LIFTERS IN THE ORDER THEY WERE ON THE ENGINE, ADJUSTABLE BAND RING COMPRESSORS, NAMELY, A SLING BAND WRENCH/CLAMP USED TO COMPRESS AUTOMOBILE ENGINE PISTON RINGS, SPARK PLUG GAPPING PLIERS, NAMELY, PLIERS TO ADJUST THE GAP ON AUTOMOTIVE SPARK PLUGS; BRAKE HAND TOOLS, NAMELY, BRAKE PISTON CUBE, DISC BRAKE SPREADER, TUBING BENDERS; FLARE TOOLS, NAMELY, A TUBING FLARE TOOL USED TO SPREAD OR FLARE THE END OF A TUBE USING SIZED DIES; TORQUE WRENCHES, A VALVE LASH ADJUSTING WRENCH, ARMY/NAVY WRENCHES, THE ARMY/NAVY NUMBER SPECIFYING THE PLUMBING FITTING SIZE AND THE CORRESPONDING WRENCH; IMPACT WRENCHES, SOCKETS, AND U-JOINT ADAPTERS, SPECIALTY BITS FOR HAND DRILLS, NAMELY, STAR BITS, DEBURR BITS, CRANK SOCKETS; WIRE STRIPPERS AND WIRE CRIMPERS; SPARK PLUG THREAD REPAIR HAND TOOLS, NAMELY, THREAD CHASER AND THREAD REPAIR TOOL APPARATUS; PISTON RING GROOVE CLEANER, PISTON RING COMPRESSORS, PISTON RING GAPPER, PISTON RING GRINDER; TAIL PIPE TOOL, NAMELY, TAIL PIPE EXPANDERS; HARMONIC DAMPER INSTALLER/PULLER AND HARMONIC DAMPER INSTALLATION TOOL, OIL FILTER CUTTER; VALVE SPRING TOOL, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 7-28-2008; IN COMMERCE 7-28-2008.

FOR: ADAPTERS, NAMELY, OIL FILTER ADAPTERS THAT PERMIT THE ELIMINATION OF A

HIGH PRESSURE BYPASS VALVE, ENGINE ROTATION ADAPTER WHICH ROTATES THE CRANK-SHAFT WHEN TURNING AN AUTOMOBILE ENGINE WITH A HARMONIC BALANCER INSTALLER, CARBURETOR ADAPTER FOR ADAPTING A CARBURETOR TO A REPLACEMENT OR STOCK INTAKE MANIFOLD, STEERING WHEEL ADAPTER FOR ADAPTING A STEERING WHEEL TO A STOCK OR REPLACEMENT STEERING WHEEL SHAFT, MOTOR MOUNT ADAPTER FOR ADAPTING AN ENGINE TO STOCK VEHICLE SPECIFICATIONS, SEAT ADAPTER FOR ADAPTING A VEHICLE SEAT THAT DOES NOT MATCH THE STOCK VEHICLE SPECIFICATION; TIMING SENSORS, NAMELY, TIMING LIGHTS WHICH ARE STROBOSCOPES USED TO DYNAMICALLY SET THE IGNITION TIMING OF A VEHICLE ENGINE, COMPRESSION TESTER, BOLT STRETCH GAUGE, THERMOSTATS, GAUGES FOR FUEL PRESSURE, OIL PRESSURE, WATER TEMPERATURE, VOLTAGE, VACUUM, AMPS, BOOST, TRANSMISSION TEMPERATURE, BRAKE PRESSURE, AND FUEL LEVEL; BATTERY BOXES AND BATTERY TRAYS; ELECTRICAL WIRING AND CONNECTORS, ELECTRICAL RETAINING RINGS; ELECTRICAL SWITCHES FOR THE BATTERIES; FUEL CELLS AND FUEL CELL MOUNTS; FUEL PRESSURE REGULATORS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-28-2008; IN COMMERCE 7-28-2008.

FOR: HIGH PERFORMANCE AUTOMOTIVE VEHICLE EQUIPMENT AND ACCESSORIES, NAMELY, TRANSMISSION COOLERS; TRANSMISSION

BELTS; CLUTCH CABLES; CLUTCH PILOTS; SHIFTER CABLES; FLEX PLATES; DIFFERENTIALS; WHEEL DISKS; BRAKE ASSEMBLIES COMPRISING BRAKE PRESSURE FITTINGS AND BRAKE PROPORTIONING VALVES; FLY WHEELS; REAR AXLE PARTS, NAMELY, GEARS AND GEAR SETS; BRAKE ROTORS; FENDER WELLS; ROLL BAR GUSSETS; SHOCK ABSORBERS, HAND TRUCKS, NAMELY, DOLLIES AND WHEEL DOLLIES, MECHANICS' CREEPERS, FITTED PROTECTIVE COVERS FOR VEHICLES, VEHICLE TRAYS; ENGINE CYLINDER HONE AND DEGLAZER, AN EXTERNAL CALIPER WITH A DIGITAL READOUT; ANTI-SWAY KITS FOR FRONT AND REAR AUTOMOTIVE SUSPENSIONS INCLUDING LEAF SPRINGS, BRACKETS, AND U-BOLTS; SWAY CONTROL KITS FOR FRONT AND REAR AUTOMOTIVE SUSPENSIONS, INCLUDING LEAF SPRINGS, BRACKETS, AND U-BOLTS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 7-28-2008; IN COMMERCE 7-28-2008.

OWNER OF U.S. REG. NO. 2,134,842.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MOTORSPORTS", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A SHARK WITH THE WORDS "SHARK MOTORSPORTS".

SN 78-688,486, FILED 8-9-2005.

ZACHARY BELLO, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35 and 44

United States Patent and Trademark Office

Reg. No. 3,312,038

Registered Oct. 16, 2007

**TRADEMARK
PRINCIPAL REGISTER**

Shark Bite

CLASS M CORPORATION (TEXAS CORPORATION)
1901 S. FM 129
SANTO, TX 76472

FOR: AUTOMOBILE CHASSIS; LAND VEHICLE
SUSPENSION PARTS, NAMELY, COIL SPRINGS;
LAND VEHICLE SUSPENSION PARTS, NAMELY,
LEAF SPRINGS; LAND VEHICLE SUSPENSION
PARTS, NAMELY, TORSION/SWAY BARS; SUS-
PENSION SPRINGS FOR MOTOR CARS; WHEEL
SUSPENSIONS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31,
35 AND 44).

FIRST USE 6-1-2004; IN COMMERCE 6-1-2004.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-857,971, FILED 4-10-2006.

ANDREA K. NADELMAN, EXAMINING ATTOR-
NEY